



CLEAR CREEK TOWNHOMES OWNERS ASSOCIATION RECORDS PRODUCTION AND COPYING POLICY

WHEREAS, chapter 209 of the Texas Property Code was amended effective January 1, 2012, to amend Section 209.005 ("Section 209.005") thereto regarding owner access to Clear Creek Townhomes Owners Association ("Association") documents and records ("Records"); and

WHEREAS, the Board of Directors of the Association ("Board") desires to establish a policy for records production consistent with Section 209.005 and to provide clear and definitive guidance to property owners.

NOW, THEREFORE, the Board has duly adopted the following Records Production and Copying Policy.

1. Association Records shall be reasonably available to every owner. An owner may also provide access to Records to any other person (such as an attorney, CPA or agent) they designate in writing as their proxy for this purpose. To ensure a written proxy is actually from the owner, the owner must include a copy of his/her photo ID or have the proxy notarized.
2. An owner, or their proxy as described in section 1, must submit a written request for access to or copies of Records. The letter must:
 - a. be sent by certified mail to the Association's address as reflected in its most recent Management Certificate filed in the County public records;
 - b. contain sufficient detail to identify the specific Records be requested; and
 - c. indicate whether the owner or proxy would like to inspect the Records before possibly obtaining copies or if the specified Records should be forwarded. If forwarded, the letter must indicate the format, delivery method and address:
 - i. format: electronic files, compact disk or paper copies; and
 - ii. delivery method: email, certified mail or pickup.
3. Within ten (10) business days of receipt of the request specified in section 2 above, the Association shall provide:
 - a. the requested Records, if copies were requested and any required advance payment has been made; or
 - b. a written notice that the Records are available and offer dates and times when the Records may be inspected by the owner or their proxy during normal business hours; or
 - c. a written notice that the requested Records are available for delivery once a payment of the cost to produce the records is made and stating the cost thereof; or
 - d. a written notice that a request for delivery does not contain sufficient information to specify the Records desired, the format, the delivery method and the delivery address; or
 - e. a written notice that the requested Records cannot be produced within ten (10) business days but will be available within fifteen (15) additional business days from the date of the notice any payment of the cost to produce the records is made and stating the cost thereof.
4. The following Association Records are not available for inspection by owners or their proxies:
 - a. the financial records associated with an individual owner;
 - b. deed restriction violation details for an individual owner;
 - c. personal information, including contact information other than an address for an individual owner that the owner notifies the Association in writing that it does not authorize, allow or prefer be disclosed;
 - d. attorney files and records in possession of the attorney;
 - e. attorney-client privileged information in the possession of the Association; and
 - f. election ballots, except for persons who tabulate ballots under 209.00594 of the Texas Property Code.
5. The information in a, b and c above will be released if the Association receives express written approval from the owner whose records are the subject of the request for inspection.
6. Association Records may be maintained in paper format or in an electronic format. If a request is made to inspect Records and certain Records are maintained in electronic format, the owner or their proxy will be given access to equipment to view

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the electronic records. Association shall not be required to transfer such electronic records to paper format unless the owner or their proxy agrees to pay the cost of producing such copies.

7. If an owner or their proxy inspecting Records request copies of certain Records during the inspection, Association shall provide them promptly, if possible, but no later than ten (10) business days after the inspection or payment of costs, whichever is later.
8. The owner is responsible for all costs associated with a request under this Policy, including but not limited to copies, postage, supplies, labor, overhead and third party fees which shall not exceed costs and expenses that would be chargeable or reimbursable under Texas Administrative Code, Section 70.3, as amended from time to time.

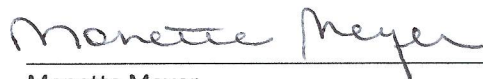
The Association may require advance payment of the estimated Costs. If the action costs are greater than the estimated costs, the Association shall submit a final invoice to the owner on or before the thirtieth (30th) business day after the information is delivered to the owner or their proxy. If such additional costs are not paid to the Association within thirty (30) business days after the date the invoice is delivered to the owner, the additional costs may be added to the owner's account as an assessment. If the actual cost is less than the estimated total cost, the Association shall issue a refund to the owner not later than the thirtieth (30th) business day after the date the information is delivered to the owner or their proxy.

9. An owner who makes a request for Records and subsequently declines to accept delivery will be liable for payment of all costs under this Policy.
10. On a case-by-case basis, in the absolute discretion of the Association, and the concurrence of the owner, the Association may agree to invoice the cost of the Records request to the owner's account. Owner agrees to pay the total amount invoiced within thirty (30) days after the date a statement is mailed to the Owner. Any unpaid balance will accrue interest as an assessment as allowed under the Declarations.
11. On a case-by-case basis where an owner request for Records is deemed to be minimal, the Association or its managing agent reserves the right to waive notice under section 2 and/or fees under section 8.

The Board of Directors of Clara Creek Townhomes Owners Association hereby approves and adopts this Policy on this 7th day of November, 2018.

I hereby certify that, as Secretary of the Clear Creek Townhomes Owners Association, the foregoing Records Production and Copying Policy was approved on the 7th day of November, 2018 at a meeting of the Board of Directors at which a quorum was present.

Signed this 13 day of December, 2018.

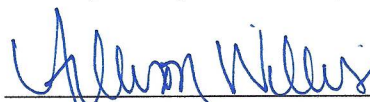
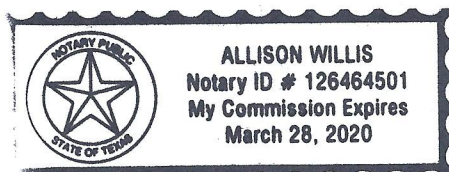


Monette Meyer
Secretary
Clear Creek Townhomes Owners Association

STATE OF TEXAS

COUNTY OF PARKER

Sworn to and subscribed to before me on this 13th day of December, 2018 by Monette Meyer.



NOTARY PUBLIC, State of Texas

My Commission Expires:

March 28, 2020